



**North Liberty Planning Commission  
Tuesday, June 6, 6:30 PM  
North Liberty City Council Chambers  
1 Quail Creek Circle, North Liberty, Iowa 52317**

This meeting may be accessed live by the public in person or on the internet at [northlibertyiowa.org/live](http://northlibertyiowa.org/live), on Facebook at [facebook.com/northliberty](https://facebook.com/northliberty) or on YouTube at [youtube.com/northliberty](https://youtube.com/northliberty). Meetings are rebroadcast on cable and available on-demand on [northlibertyiowa.org](http://northlibertyiowa.org).

Call to Order

- 1. Roll Call**
- 2. Approval of the Agenda**
- 3. Aldi Preliminary Site Plan:** Request of Aldi, Inc. to approve a Preliminary Site Plan for a 20,664 retail good establishment on 4.54 acres. The property is located on the west side of Ranshaw Way approximately 525 feet west of West Penn Street (725 North Ranshaw Way/North Highway 965).
  - a. Staff Presentation
  - b. Applicant Presentation
  - c. Public Comments
  - d. Questions and Comments
  - e. Recommendation to the City Council
- 4. Water Tower Place Preliminary Site Plan:** Request of Dahnovan Holdings to approve a Preliminary Site Plan for 15 two and one unit dwellings on approximately 1.81 acres. The property is located approximately 630' west of North Kansas Avenue and 300' south of southern terminus of North Madison Avenue (Proposed Lot 2 of Water Tower Place Subdivision).
  - a. Staff Presentation
  - b. Applicant Presentation
  - c. Public Comments
  - d. Questions and Comments
  - e. Recommendation to the City Council

- 5. Warehouse Building Preliminary Site Plan:** Request of Diamond Ridge Construction to approve a Preliminary Site Plan for a 9,360 square foot warehouse building on approximately 5.01 acres. The property is located on the south side of Stoner Court approximately 250' east of Herky Street (2905 Stoner Court).

  - a. Staff Presentation
  - b. Applicant Presentation
  - c. Public Comments
  - d. Questions and Comments
  - e. Recommendation to the City Council
  
- 6. Public Hearing on Zoning Map Amendment:** Request of the City of North Liberty for a zoning map amendment (rezoning) on approximately 3.53 acres, from RM-21 Multi-Residence District to RM-12 Multi-Residence District on property located on the west side of North Dubuque Street approximately 175' north of North Main Street (475 N Dubuque Street).

  - a. Staff Presentation
  - b. Public Comments
  - c. Questions and Comments
  - d. Recommendation to the City Council
  
- 7. Public Hearing on Zoning Map Amendment:** Request of the City of North Liberty for a zoning map amendment (rezoning) on approximately .33 acres, from RM-21 Multi-Residence District to RM-12 Multi-Residence District on property located on the west side of North Main Street approximately 300' north of West Cherry Street (355, 357, 359 N Main Street).

  - a. Staff Presentation
  - b. Public Comments
  - c. Questions and Comments
  - d. Recommendation to the City Council
  
- 8. Approval of Previous Minutes**
  
- 9. Old Business**
  
- 10. New Business**
  
- 11. Adjournment**



To **City of North Liberty Planning Commission**  
 From **Ryan Rusnak, AICP**  
 Date **June 2, 2023**  
 Re **Request of Aldi, Inc. to approve a Preliminary Site Plan for a 20,664 retail good establishment on 4.54 acres. The property is located on the west side of Ranshaw Way approximately 525 feet west of West Penn Street (725 North Ranshaw Way/North Highway 965).**

North Liberty City staff has reviewed the subject submission, and offer comments presented in this memo. The staff review team includes the following personnel:

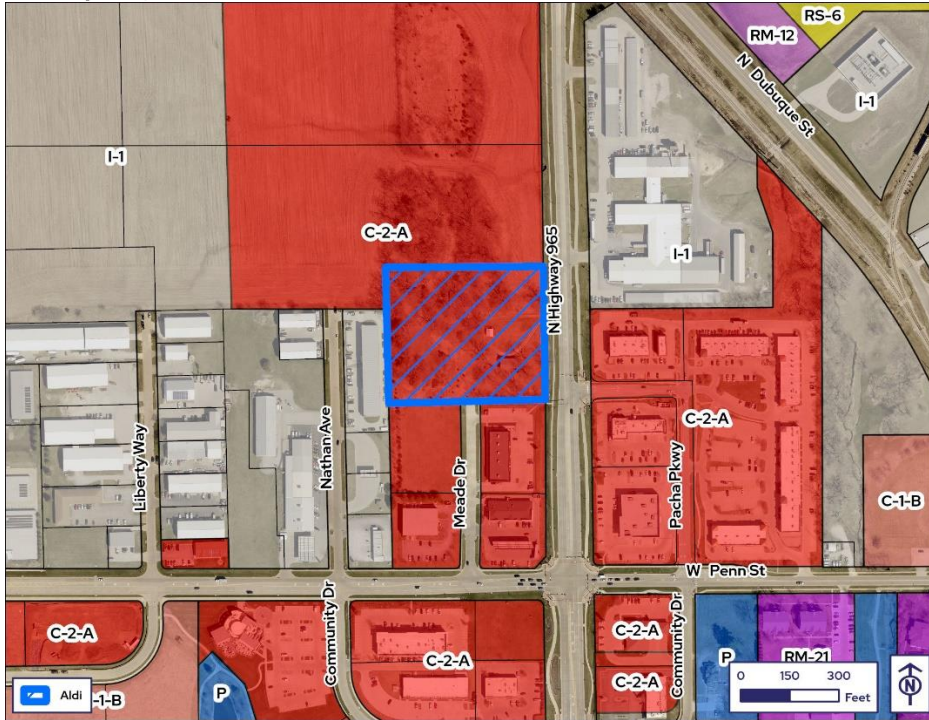
- Ryan Heiar, City Administrator
- Tracey Mulcahey, Assistant City Administrator
- Grant Lientz, City Attorney
- Tom Palmer, City Building Official
- Kevin Trom, City Engineer
- Ryan Rusnak, Planning Director

**1. Request Summary:** The site plan proposes a 20,664 retail good establishment and related infrastructure on 4.54 acres.



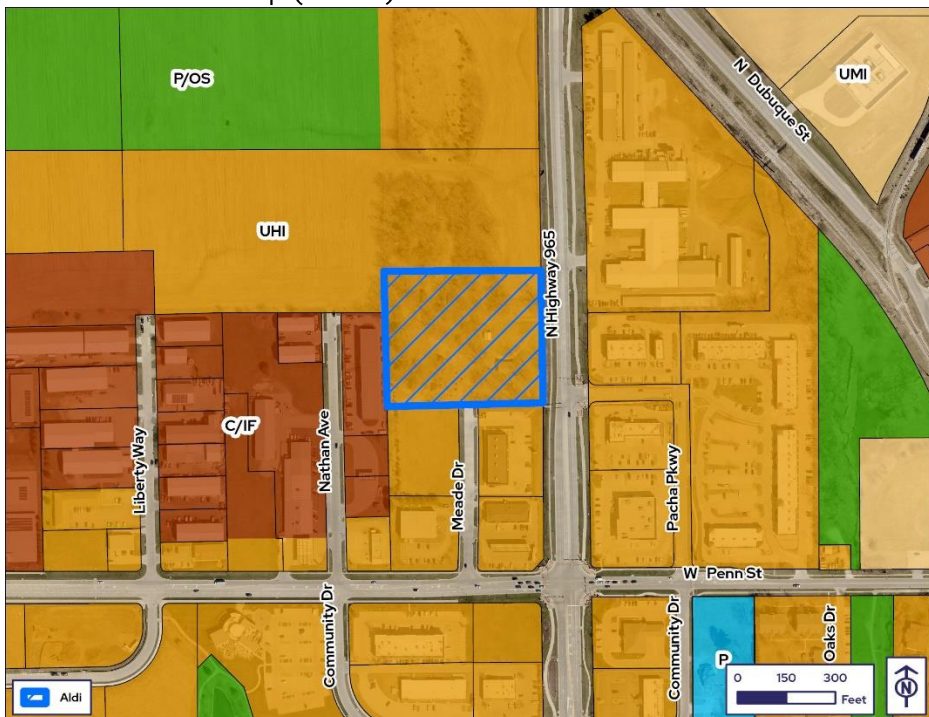
**2. Existing Zoning:** C-2-A Highway Commercial District. "Retail goods establishment" is listed as permitted uses in the C-2-A District.

Zoning Map



**3. Comprehensive Plan Future Land Use Map Designation:** Urban High Intensity.

Future Land Use Map (FLUM)



#### 4. Public Input:

No public comments have been received.

#### 5. Approval Standards:

##### Consistency of proposed use with current zoning and Future Land Use Map.

The C-2-A District lists "retail good establishment" as a permitted use.

Section 168.07(69) Retail Goods Establishment (ordinance language in *italics*).

- A. *Defined. Means an establishment that provides physical goods, products, or merchandise directly to the consumer, where such goods are available for immediate purchase and removal from the premises by the purchaser. Retail goods establishment does not include micro fulfillment center.*
- B. *Use Standards. None.*

Section 165.05(2)(E) of the North Liberty Code of Ordinances sets forth the approval standards (ordinance language in *italics* and staff analysis in **bold**).

- E. *Approval Standards. The Planning Commission's recommendation to the City Council and the City Council's decision to approve or disapprove a preliminary site plan shall be informed by the preliminary site plan's adherence to the following standards:*

(1) *The consistency of the preliminary site plan with all adopted ordinances and regulations.*

**See analysis of Section 165.02(2)(D) and applicable design standards below.**

(2) *The consistency of the proposed land use with the Comprehensive Plan and any adopted land use policies. The submission of a preliminary site plan which proposes one or more uses inconsistent with the City's Future Land Use Map creates a rebuttable presumption that said use or uses are inharmonious with surrounding properties and incompatible with orderly development and redevelopment.*

**The C-2-A District is consistent with the Urban High Intensity Land Use Designation.**

Section 165.05(2)(D) of the North Liberty Code of Ordinances entitled, "Preliminary Site Review" sets forth the submission requirements (ordinance language in *italics* and staff analysis in **bold**).

- *Date, north arrow and graphic scale. **Provided.***
- *The property owner's name and description of proposed development. **Provided.***
- *A vicinity sketch showing the location of the property and other properties within 1,000 feet of it. **Provided.***
- *Property boundary lines, dimensions, and total area. **Provided.***
- *Contour lines at intervals of not more than five feet, City datum. If substantial topographic change is proposed, the existing topography shall be illustrated on a separate map and the proposed finished topography shown on the site plan. **Provided.***

- *The location of existing streets, sidewalks, easements, utilities, drainage courses.*  
**Provided.**
- *The total square feet of building floor area, both individually and collectively.* **Provided.**
- *All structures and major features shall be fully dimensioned including distance between structures, distance between driveways, parking areas, property lines and building height.* **Provided.**
- *Off-street parking areas, ingress and egress to the property, number of parking spaces proposed, number of parking spaces required by this code and type of surfacing.*  
**Provided.**
- *Pedestrian walkways with special consideration given to pedestrian safety.* **Provided.**
- *Trash and refuse enclosures.* **Provided.**
- *The general drainage pattern and location of storm water detention features.*  
**Provided.**
- *The general location, type and size of landscaping and ground cover illustrated in color perspective.* **Provided.**
- *A rendering, elevation or photo of the proposed development.* **Provided.**

North Liberty Code of Ordinances Section 169.10 entitled, "Design Standards" sets forth certain design standards (ordinance language in *italics*).

Requirements for All Districts (ordinance language in *italics*).

- *Building design shall be visually harmonious and compatible with the neighborhood character.*
- *Buildings located on property with double frontages shall have similar wall design facing both streets.*
- *Except for RS RD, R-MH and ID districts, color schemes shall be primarily based on earth tones. Earth tone colors include colors from the palette of browns, tans, greys, greens, and red. Earth tone colors shall be flat or muted. Building trim and accent areas may feature non-earth tone and brighter colors. In any district, the use of high intensity colors, neon or fluorescent color and neon tubing is prohibited.*
- *Except in the R-MH district, a minimum roof pitch of 5:12 shall apply to gable, hip, or shed roofs and there shall be a minimum roof overhang at the eaves of 12 inches. This does not apply to portions of a roof that are separate from the structure's primary roof. Metal roofs shall not be corrugated or similar appearance. The color of the roof shall be visually harmonious and compatible with the building color scheme.*

Requirements for Development in Commercial Districts (ordinance language in *italics*).

*Commercial zoning districts are intended to enhance public welfare by providing for safe, convenient, high quality pedestrian-oriented commercial centers that contribute to community identity as energetic and attractive focus points. Through development and redevelopment within these districts, the city recognizes the importance of creating high quality development areas to the quality of life for residents of the city, the impact quality development has on the image of the community, and the need to provide restrictions and guidelines to enhance visual appearance and functionality. The objectives addressed through these regulations include the following:*

- *Design. To achieve appealing aesthetic design through high quality architecture and construction, with attention to placement, relationship, and orientation of structures and amenities to provide both internal cohesiveness and compatibility with surrounding uses.*
- *Walkability. To achieve overall development patterns that encourage walking and reduce dependence on the automobile to travel from one business to another, and so reduces the dominance of the automobile within the development.*
- *Human-scale Activity. To achieve a sense of place by emphasizing pedestrian interaction with commercial uses rather than sprawling automobile-dominated designs, both in building architecture and public or private outdoor areas.*
- *Compatible Uses. To achieve the right blend of uses, compact and well-designed, that complement each other and provide cohesive overall developments.*

It is staff's opinion that the site plan achieves consistency with the aforementioned design standards.

#### **6. Other Considerations:**

The City expects to partner with the developer so that the decorative streetscaping would be at the intersection on the west side, which would be the southern entrance to the site. The developer would fund the traffic signal improvements and the driveway access.

#### **7. Staff Recommendation:**

##### Finding:

1. The preliminary site plan would achieve consistency with the approval standards enumerated in Section 165.05(2)(E) of the Zoning Code.

##### Recommendation:

Staff recommends the Planning Commission accept the listed finding and forward the request to approve a preliminary site plan for a 20,664 retail good establishment on 4.54 acres. to the City Council with a recommendation for approval.

##### Suggested motion:

I move that the Planning Commission accept the listed finding and forward the preliminary site plan to the City Council with a recommendation for approval.



IngenAE

301 N. Main Street, Suite B  
 South Bend, IN 46601  
 www.ingenae.com

Submissions / Revisions:      Date:

1	
2	
3	
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6	
7	
8	
9	
10	
11	
12	
13	



**ALDI Inc.**

ALDI Drive  
 Dwight, IL 60420  
 (815) 744-0274

Project Name & Location:

**ALDI**  
**STORE #57**  
**725 N HIGHWAY 965**  
**NORTH LIBERTY, IA**  
**52317**

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 any need for additional information or clarification.

Drawing Name:

**VICINITY**  
**MAP**

Date: 05/26/2023      Project No. ADC007-D22

Type: SITE      Drawing No.

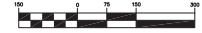
Drawn By: DPW

Approved By: RAV

Scale: AS NOTED

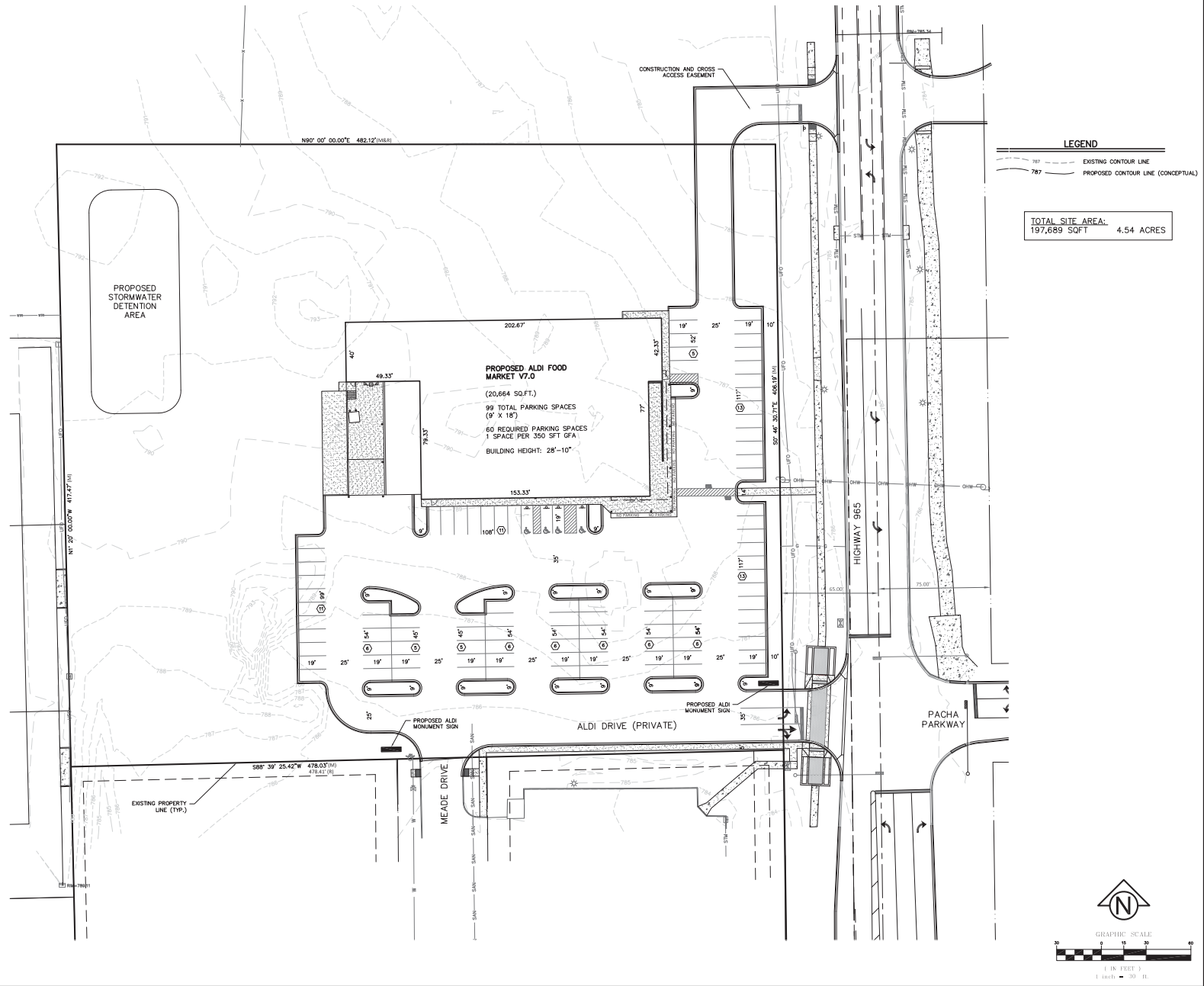


GRAPHIC SCALE



1" IN FEET  
 1 inch = 100 ft.





**LEGEND**  
 --- 787 --- EXISTING CONTOUR LINE  
 --- 787 --- PROPOSED CONTOUR LINE (CONCEPTUAL)

**TOTAL SITE AREA:**  
 197,689 SQFT 4.54 ACRES

Submissions / Revisions:      Date:

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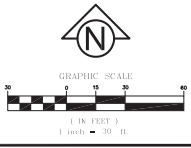
Project Name & Location:  
**ALDI**  
 STORE #57  
 725 N HIGHWAY 965  
 NORTH LIBERTY, IA  
 52317

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Drawing Name:  
**CONCEPTUAL  
 SITE  
 PLAN**

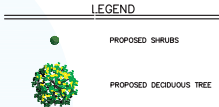
Date: 05/26/2023      Project No. ADC007-D22  
 Type: SITE      Drawing No.

Drawn By: DPW  
 Approved By: RAV  
 Scale: AS NOTED





LANDSCAPE REQUIREMENTS	REQUIRED	PROVIDED
COMMERCIAL DISTRICT REQUIREMENT - SHADE TREES		
ONE TREE PER 2,000 SFT OF BUILDING FOOTPRINT (20,664 SFT)	11	28 TREES
PERIMETER LANDSCAPING (HWY 965)		
ONE SHADE TREE PER 50 LFT (248 FT)	5	6 TREES
PARKING LOT ISLANDS		
ONE SHADE TREE PER SINGLE ISLAND (4 ISLANDS)	4	4 TREES
TWO SHADE TREES PER DOUBLE ISLAND (8 ISLANDS)	16	16 TREES



**IngenAE**  
 301 N. Main Street, Suite B  
 South Bend, IN 46601  
 www.ingenae.com

Submissions / Revisions:	Date:
1	
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Project Name & Location:  
**ALDI**  
 STORE #57  
 725 N HIGHWAY 965  
 NORTH LIBERTY, IA  
 52317

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 only when they are attached to these drawings or specifications.

Drawing Name:  
**CONCEPTUAL  
 LANDSCAPE  
 PLAN**

Date: 05/26/2023  
 Project No: ADC007-D22  
 Type: SITE  
 Drawing No:  
 Drawn By: DPW  
 Approved By: RAV  
 Scale: AS NOTED

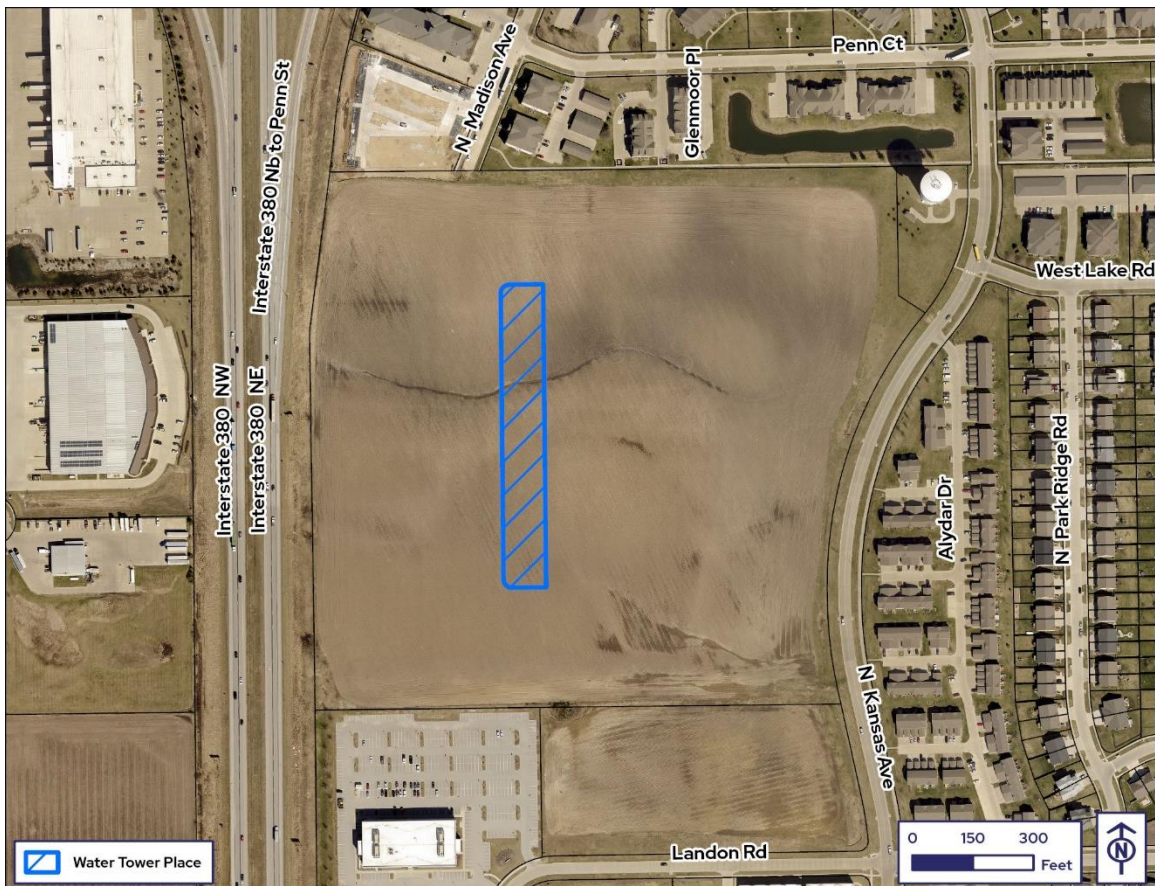


To **City of North Liberty Planning Commission**  
 From **Ryan Rusnak, AICP**  
 Date **June 2, 2023**  
 Re **Request of Dahnovan Holdings to approve a Preliminary Site Plan for 15 two and one unit dwellings on approximately 1.81 acres. The property is located approximately 630' west of North Kansas Avenue and 300' south of southern terminus of North Madison Avenue (Proposed Lot 2 of Water Tower Place Subdivision).**

North Liberty City staff has reviewed the subject submission, and offer comments presented in this memo. The staff review team includes the following personnel:

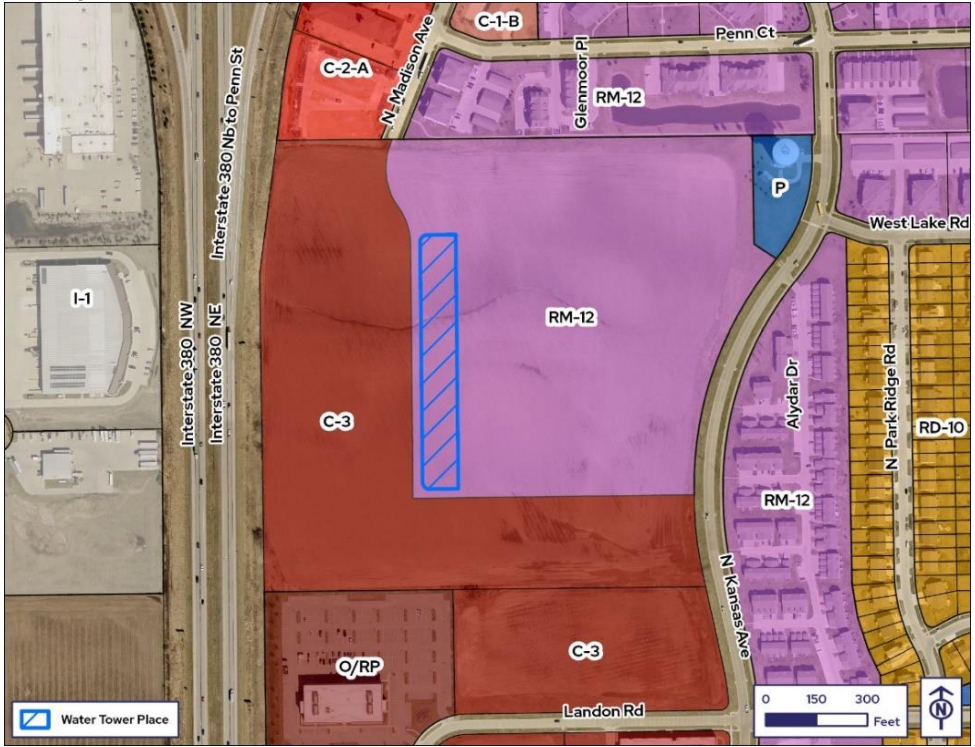
- Ryan Heiar, City Administrator
- Tracey Mulcahey, Assistant City Administrator
- Grant Lientz, City Attorney
- Tom Palmer, City Building Official
- Kevin Trom, City Engineer
- Ryan Rusnak, Planning Director

**1. Request Summary:** The site plan proposes 16 two-unit dwellings in 8 buildings on approximately 1.81 acres.



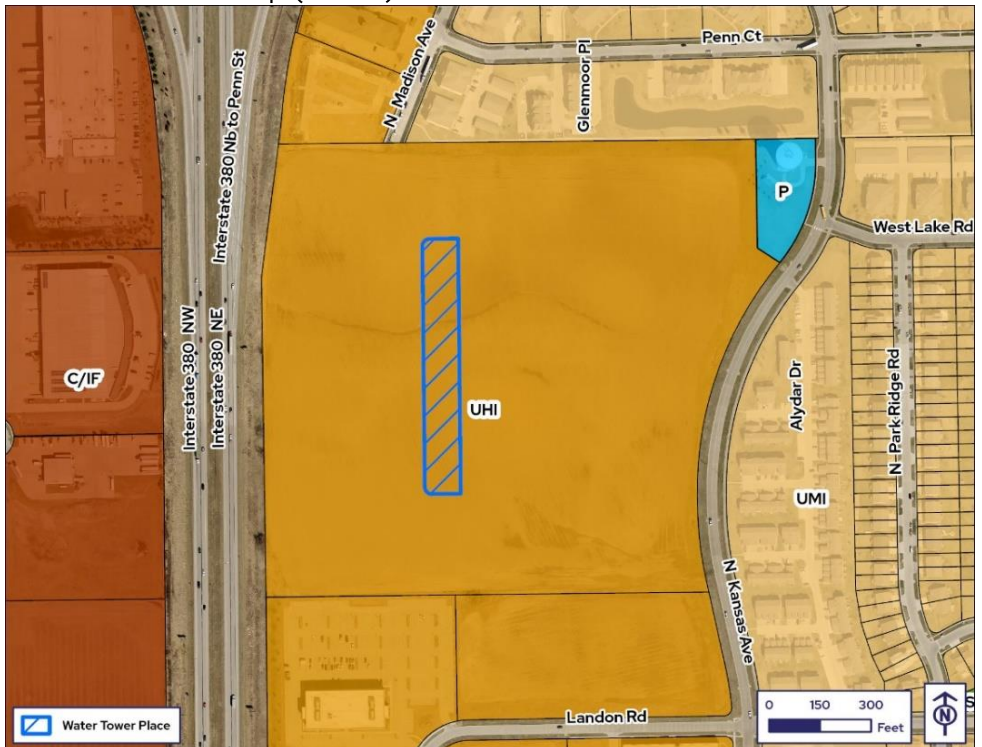
**2. Existing Zoning:** RM-12 Multiple-Unit Residence District. "Two-Unit Dwelling" is listed as a permitted use in the RM-12 District.

Zoning Map



**3. Comprehensive Plan Future Land Use Map Designation:** Urban High Intensity.

Future Land Use Map (FLUM)



## 5. Approval Standards:

### Consistency of proposed use with current zoning and Future Land Use Map.

The RM-12 District lists “two-unit dwellings” as a permitted use.

North Liberty Code of Ordinances Section 168.07 entitled, “Uses Defined and Use Standards” sets forth certain design standards (applicable Ordinance language in italics and staff analysis in bold).

Section 168.07(31) Two-Unit Dwelling (ordinance language in italics).

- A. Defined. A Two-Unit Dwelling means a structure containing two dwelling units, arranged side-by-side with each unit having an exterior entrance, on a single lot.
- B. Use Standards.
  - (1) The front entry must be an integral part of the structure, using features such as porches, raised steps and stoops with roof overhangs, or decorative railings to articulate the front facade.
  - (2) Minimum required masonry on front and corner side yard building elevations is 25%.
  - (3) A 5% minimum transparency requirement applies to the front facade and is calculated on the basis of the area of the facade below the roofline.

Section 165.05(2)(E) of the North Liberty Code of Ordinances sets forth the approval standards (ordinance language in *italics* and staff analysis in **bold**).

*E. Approval Standards. The Planning Commission’s recommendation to the City Council and the City Council’s decision to approve or disapprove a preliminary site plan shall be informed by the preliminary site plan’s adherence to the following standards:*

- (1) The consistency of the preliminary site plan with all adopted ordinances and regulations.*

**See analysis of Section 165.02(2)(D) and applicable design standards below.**

- (2) The consistency of the proposed land use with the Comprehensive Plan and any adopted land use policies. The submission of a preliminary site plan which proposes one or more uses inconsistent with the City’s Future Land Use Map creates a rebuttable presumption that said use or uses are inharmonious with surrounding properties and incompatible with orderly development and redevelopment.*

**The RM-12 District is consistent with the Urban High Intensity Land Use Designation.**

Section 165.05(2)(D) of the North Liberty Code of Ordinances entitled, "Preliminary Site Review" sets forth the submission requirements (ordinance language in *italics* and staff analysis in **bold**).

- *Date, north arrow and graphic scale.* **Provided.**
- *The property owner's name and description of proposed development.* **Provided.**
- *A vicinity sketch showing the location of the property and other properties within 1,000 feet of it.* **Provided.**
- *Property boundary lines, dimensions, and total area.* **Provided.**
- *Contour lines at intervals of not more than five feet, City datum. If substantial topographic change is proposed, the existing topography shall be illustrated on a separate map and the proposed finished topography shown on the site plan.* **Provided.**
- *The location of existing streets, sidewalks, easements, utilities, drainage courses.* **Provided.**
- *The total square feet of building floor area, both individually and collectively.* **Provided.**
- *All structures and major features shall be fully dimensioned including distance between structures, distance between driveways, parking areas, property lines and building height.* **Provided.**
- *Off-street parking areas, ingress and egress to the property, number of parking spaces proposed, number of parking spaces required by this code and type of surfacing.* **Provided.**
- *Pedestrian walkways with special consideration given to pedestrian safety.* **Provided.**
- *Trash and refuse enclosures.* **Trash and refuse would be curb side pickup.**
- *The general drainage pattern and location of storm water detention features.* **Provided.**
- *The general location, type and size of landscaping and ground cover illustrated in color perspective.* **Provided.**
- *A rendering, elevation or photo of the proposed development.* **Provided.**

North Liberty Code of Ordinances Section 169.10 entitled, "Design Standards" sets forth certain design standards (ordinance language in *italics*).

Requirements for All Districts (ordinance language in *italics*).

- *Building design shall be visually harmonious and compatible with the neighborhood character.*
- *Buildings located on property with double frontages shall have similar wall design facing both streets.*
- *Except for RS RD, R-MH and ID districts, color schemes shall be primarily based on earth tones. Earth tone colors include colors from the palette of browns, tans, greys, greens, and red. Earth tone colors shall be flat or muted. Building trim and accent areas may feature non-earth tone and brighter colors. In any district, the use of high intensity colors, neon or fluorescent color and neon tubing is prohibited.*
- *Except in the R-MH district, a minimum roof pitch of 5:12 shall apply to gable, hip, or shed roofs and there shall be a minimum roof overhang at the eaves of 12 inches. This does not apply to portions of a roof that are separate from the structure's primary roof.*

*Metal roofs shall not be corrugated or similar appearance. The color of the roof shall be visually harmonious and compatible with the building color scheme.*

It is staff's opinion that the site plan achieves consistency with the aforementioned design standards.

**6. Staff Recommendation:**

Finding:

1. The preliminary site plan would achieve consistency with the approval standards enumerated in Section 165.05(2)(E) of the Zoning Code.

Recommendation:

Staff recommends the Planning Commission accept the listed finding and forward the request to approve a preliminary site plan for 15 two and one unit dwellings on approximately 1.81 acres to the City Council with a recommendation for approval.

Suggested motion:

I move that the Planning Commission accept the listed finding and forward the preliminary site plan to the City Council with a recommendation for approval.



MMS CONSULTANTS, INC.
CIVIL ENGINEERS
LAND PLANNERS
LAND SURVEYORS
LANDSCAPE ARCHITECTS
ENVIRONMENTAL SPECIALISTS

Date: Revision
03/23 PERCEY COMMENTS-HEI

PRELIMINARY
SITE PLAN

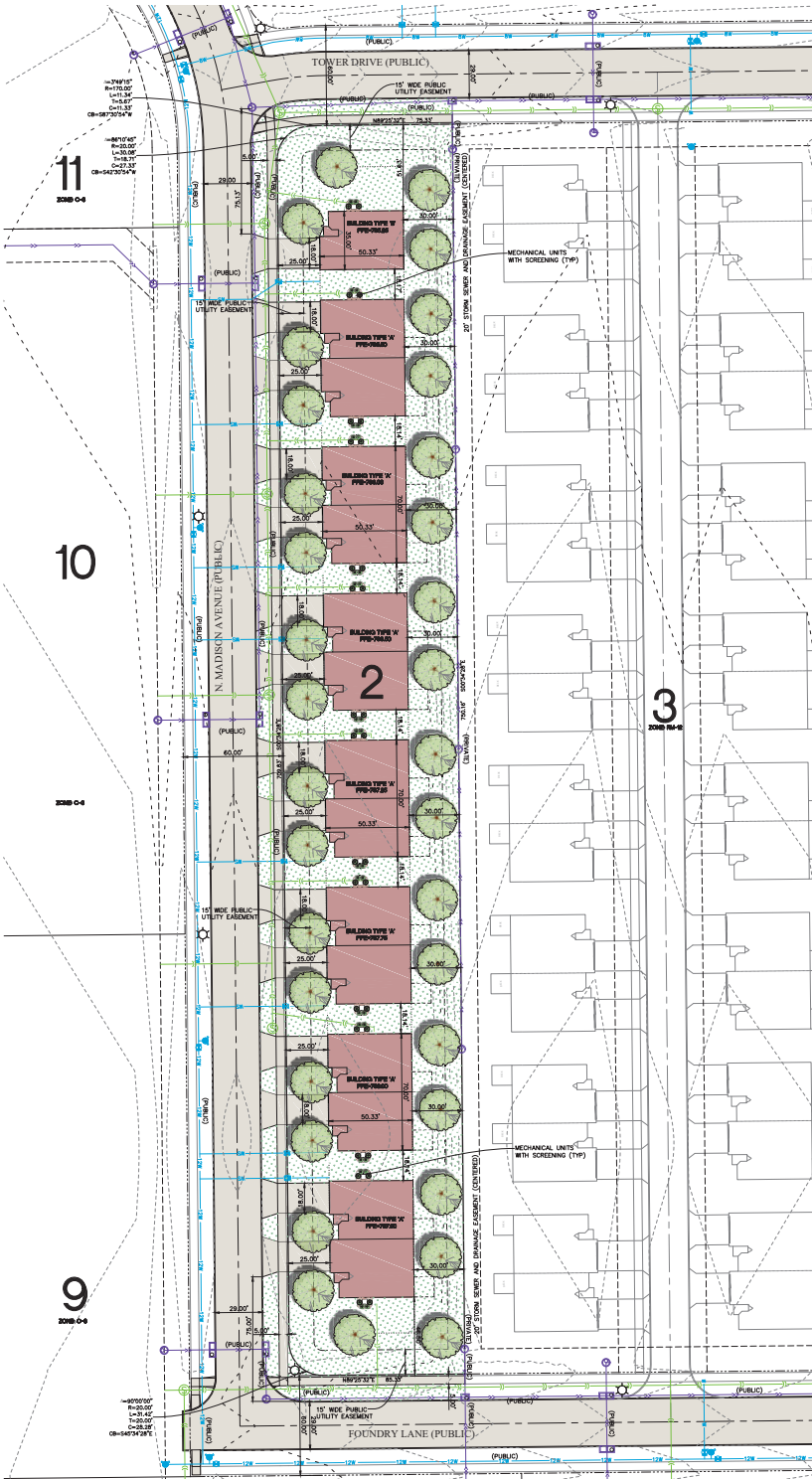
WATER TOWER
PLACE, LOT 2

NORTH LIBERTY
JOHNSON COUNTY
IOWA

MMS CONSULTANTS, INC.
Date: 05-01-23
Designed by: Field Book No.
Drawn by: TSC
Checked by: CSM
Project No.: 1

11030-005

PRELIMINARY SITE PLAN
WATER TOWER PLACE, LOT 2
NORTH LIBERTY, IOWA



PROPOSANT: MVS PROPERTIES II, LLC
OWNER: MVS PROPERTIES II, LLC
TOTAL DEVELOPMENT: 108,000 SQ. FT. OF LAND CONTAINS 1.81 ACRES.

Table with columns: PHASE, AREA OF WORK, LAND USE TYPE(S), CONSTRUCTION PERIOD. Includes entries for Single Unit Dwelling and Two Unit Dwellings.

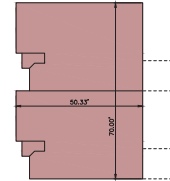
MINIMUM LOT REQUIREMENTS
MINIMUM LOT SIZE: 3,000 SF (60'x50')
MINIMUM LOT WIDTH: 40 FEET
MINIMUM BUILDING HEIGHT: 40 FEET

USE CHARACTERISTICS
TOTAL AREA: 78,833 SF (1,000'x78' AC)
BUILDING AREA - PROPOSED: 24,946 SF (32,700 SQ. FT.)
GREEN SPACE AREA: 48,599 SF (59,170 SQ. FT.)

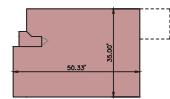
EARNING REQUIREMENTS
2 SPACES/DWELLING UNIT: 2 SPACES + 14 UNITS = 28 SPACES
SINGLE UNIT DWELLING: 2 SPACES/DWELLING UNIT = 2 SPACES

GENERAL NOTES
ALL OUTDOOR MOUNTED MECHANICAL UNITS SHALL BE SCREENED WITH LANDSCAPING
MECHANICAL UNITS WITH SCREENING (TYP) SHALL BE PROVIDED ALONG BOTH SIDES OF N. MADISON AVENUE AS REQUIRED BY CITY OF NORTH LIBERTY.

STANDARD LEGEND AND NOTES
Includes symbols for property lines, easements, utility lines, and various engineering notes regarding construction and site preparation.



BUILDING TYPE 'A' (TWO-UNIT DWELLING)
3 BR UNITS
3,046 SF



BUILDING TYPE 'B' (SINGLE-UNIT DWELLING)
3 BR UNITS
1,671 SF

LANDSCAPE LEGEND
TURF GRASS (SOD)
PLANTING BED
MATERIAL

LANDSCAPE REQUIREMENTS
ON-SITE TREES: TREE FOR EACH 750 SF OF BUILDING FOOTPRINT.

CONCEPT PLANT SCHEDULE
Table with columns: PLANT TYPE, QUANTITY, PLANTING NUMBER.



IOWA ONE CALL logo and text regarding utility notification requirements.

Professional Engineer seal for Christopher A. Duffin, State of Iowa, License No. 25333.

I hereby certify that this engineering document was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Iowa.

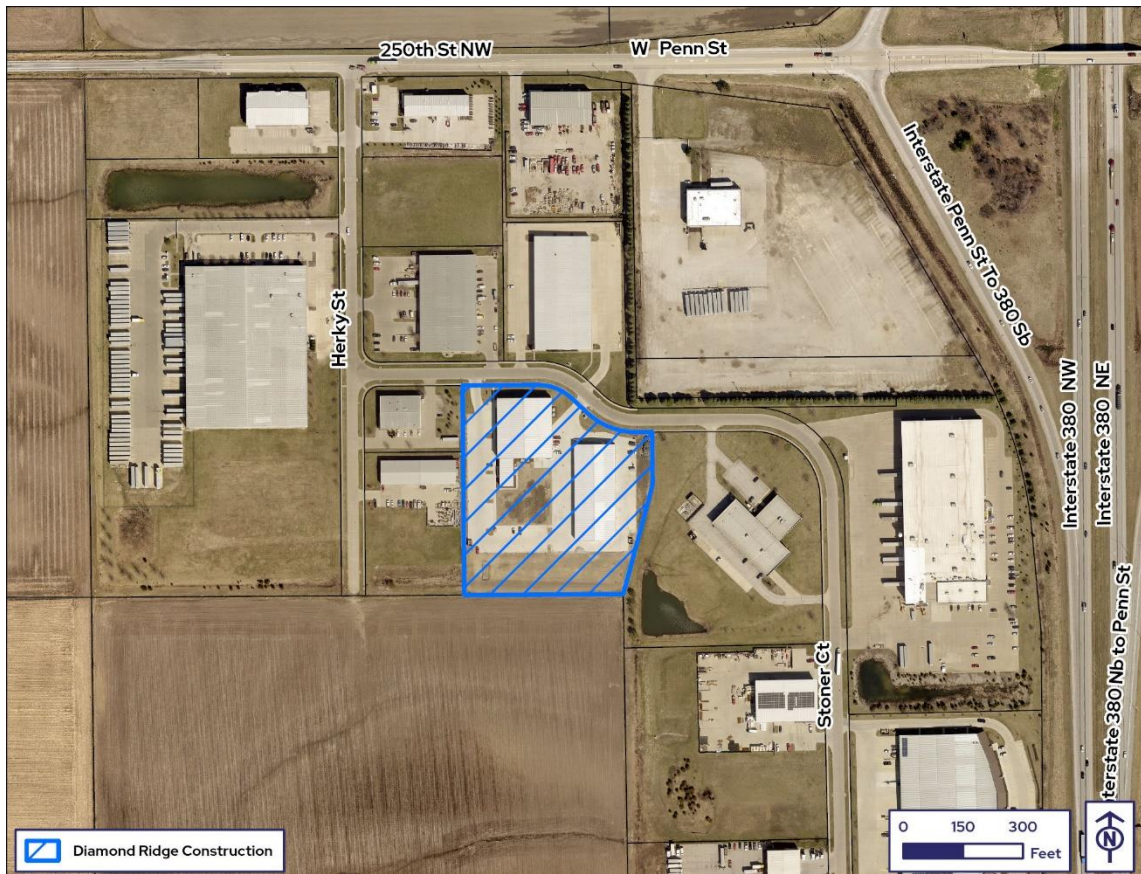




To **City of North Liberty Planning Commission**  
 From **Ryan Rusnak, AICP**  
 Date **June 2, 2023**  
 Re **Request of Diamond Ridge Construction to approve a Preliminary Site Plan for a 9,360 square foot warehouse building on approximately 5.01 acres. The property is located on the south side of Stoner Court approximately 250' east of Herky Street (2905 Stoner Court).**

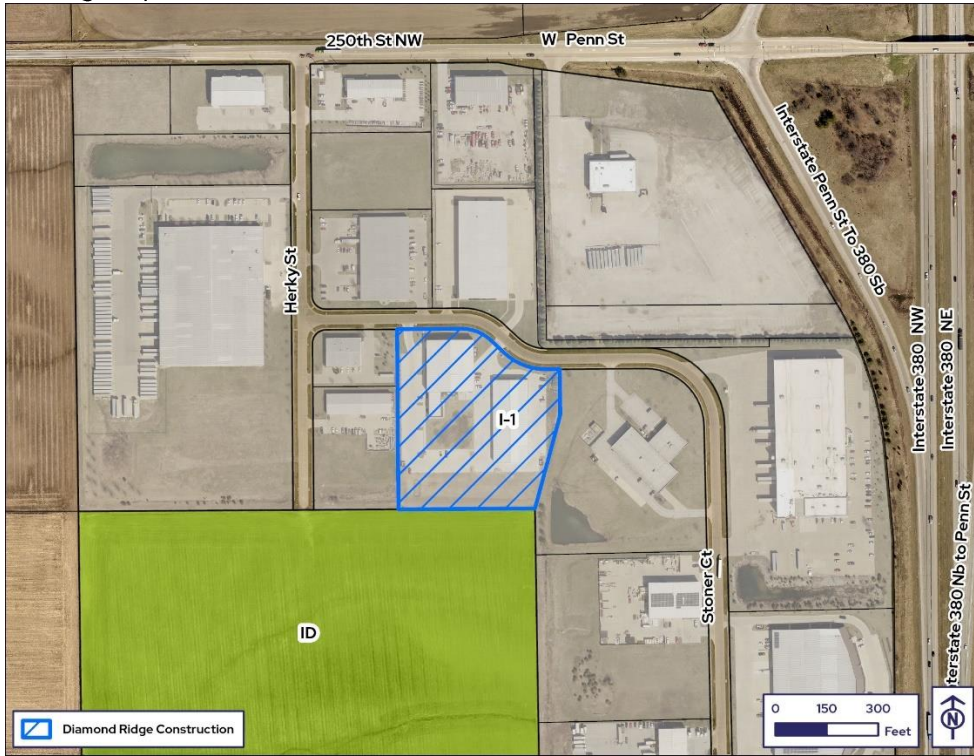
North Liberty City staff has reviewed the subject submission, and offer comments presented in this memo. The staff review team includes the following personnel:  
 Ryan Heiar, City Administrator  
 Tracey Mulcahey, Assistant City Administrator  
 Grant Lientz, City Attorney  
 Tom Palmer, City Building Official  
 Kevin Trom, City Engineer  
 Ryan Rusnak, Planning Director

**1. Request Summary:** The site plan proposes a 9,360 square foot warehouse building on approximately 5.01 acres.



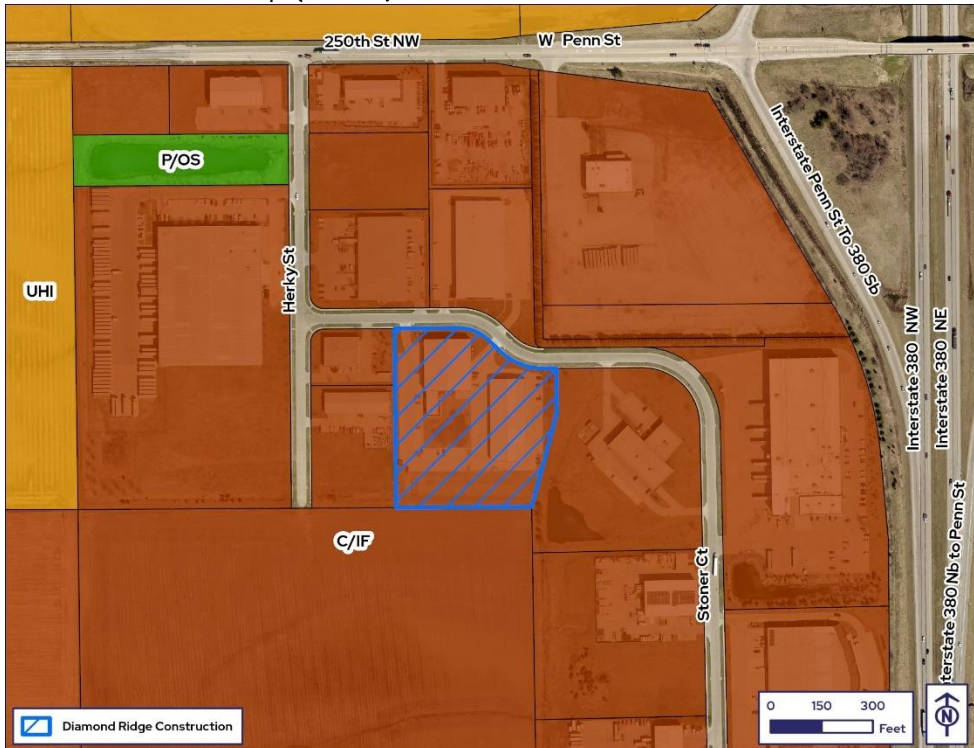
**2. Existing Zoning:** The I-1 Light Industrial District.

Zoning Map



**3. Comprehensive Plan Future Land Use Map Designation:** Commercial/Industrial Flex.

Future Land Use Map (FLUM)



## 5. Approval Standards:

### Consistency of proposed use with current zoning and Future Land Use Map.

The I-1 lists “warehouses” as a permitted use.

North Liberty Code of Ordinances Section 168.07 entitled, “Uses Defined and Use Standards” sets forth certain design standards (applicable Ordinance language in italics and staff analysis in bold).

Section 168.07(83) Warehouse (ordinance language in italics).

- A. *Defined. Warehouse means an establishment for the indoor storage and distribution of manufactured products, supplies, and/or equipment.*
- B. *Use Standards. None.*

Section 165.05(2)(E) of the North Liberty Code of Ordinances sets forth the approval standards (ordinance language in italics and staff analysis in **bold**).

E. *Approval Standards. The Planning Commission’s recommendation to the City Council and the City Council’s decision to approve or disapprove a preliminary site plan shall be informed by the preliminary site plan’s adherence to the following standards:*

- (1) *The consistency of the preliminary site plan with all adopted ordinances and regulations.*

**See analysis of Section 165.02(2)(D) and applicable design standards below.**

- (2) *The consistency of the proposed land use with the Comprehensive Plan and any adopted land use policies. The submission of a preliminary site plan which proposes one or more uses inconsistent with the City’s Future Land Use Map creates a rebuttable presumption that said use or uses are inharmonious with surrounding properties and incompatible with orderly development and redevelopment.*

**The I-1 District is consistent with the Commercial/Industrial Flex Land Use Designation.**

Section 165.05(2)(D) of the North Liberty Code of Ordinances entitled, “Preliminary Site Review” sets forth the submission requirements (ordinance language in italics and staff analysis in **bold**).

- *Date, north arrow and graphic scale. **Provided.***
- *The property owner’s name and description of proposed development. **Provided.***
- *A vicinity sketch showing the location of the property and other properties within 1,000 feet of it. **Provided.***
- *Property boundary lines, dimensions, and total area. **Provided.***
- *Contour lines at intervals of not more than five feet, City datum. If substantial topographic change is proposed, the existing topography shall be illustrated on a separate map and the proposed finished topography shown on the site plan. **Provided.***

- *The location of existing streets, sidewalks, easements, utilities, drainage courses.*  
**Provided.**
- *The total square feet of building floor area, both individually and collectively.* **Provided.**
- *All structures and major features shall be fully dimensioned including distance between structures, distance between driveways, parking areas, property lines and building height.* **Provided.**
- *Off-street parking areas, ingress and egress to the property, number of parking spaces proposed, number of parking spaces required by this code and type of surfacing.*  
**Provided.**
- *Pedestrian walkways with special consideration given to pedestrian safety.* **Provided.**
- *Trash and refuse enclosures.* **Trash and refuse would be curb side pickup.**
- *The general drainage pattern and location of storm water detention features.*  
**Provided.**
- *The general location, type and size of landscaping and ground cover illustrated in color perspective.* **Provided.**
- *A rendering, elevation or photo of the proposed development.* **Provided.**

North Liberty Code of Ordinances Section 169.10 entitled, "Design Standards" sets forth certain design standards (ordinance language in *italics*).

Requirements for All Districts (ordinance language in *italics*).

- *Building design shall be visually harmonious and compatible with the neighborhood character.*
- *Buildings located on property with double frontages shall have similar wall design facing both streets.*
- *Except for RS RD, R-MH and ID districts, color schemes shall be primarily based on earth tones. Earth tone colors include colors from the palette of browns, tans, greys, greens, and red. Earth tone colors shall be flat or muted. Building trim and accent areas may feature non-earth tone and brighter colors. In any district, the use of high intensity colors, neon or fluorescent color and neon tubing is prohibited.*
- *Except in the R-MH district, a minimum roof pitch of 5:12 shall apply to gable, hip, or shed roofs and there shall be a minimum roof overhang at the eaves of 12 inches. This does not apply to portions of a roof that are separate from the structure's primary roof. Metal roofs shall not be corrugated or similar appearance. The color of the roof shall be visually harmonious and compatible with the building color scheme.*

Requirements for Development in Industrial Districts (ordinance language in *italics*).

- Minimum required masonry on front and corner side yard building elevations is 25%. Notwithstanding the foregoing, buildings on lots abutting Penn Street shall be composed of not less than 90% masonry products on the entire wall(s) facing Penn Street. If the building is canted or angled on the lot, both sides facing Penn Street shall be composed of not less than 90% masonry products. If the building is located on a corner lot with one side abutting Penn Street, the building wall facing the side street shall meet the 25% masonry requirement in addition to the 90% Penn Street requirement. In all cases, building sides facing exterior lot lines and not composed of masonry shall be heavily screened with trees and shrubs.

- For exterior walls not composed of masonry products, stucco, wood siding, premium-grade vinyl siding if installed horizontally, or other materials similar in appearance are preferred.

It is staff's opinion that the site plan achieves consistency with the aforementioned design standards.

#### **6. Staff Recommendation:**

##### Finding:

1. The preliminary site plan would achieve consistency with the approval standards enumerated in Section 165.05(2)(E) of the Zoning Code.

##### Recommendation:

Staff recommends the Planning Commission accept the listed finding and forward the request to approve a preliminary site plan for a 9,360 square foot warehouse building on approximately 5.01 acres. The to the City Council with a recommendation for approval.

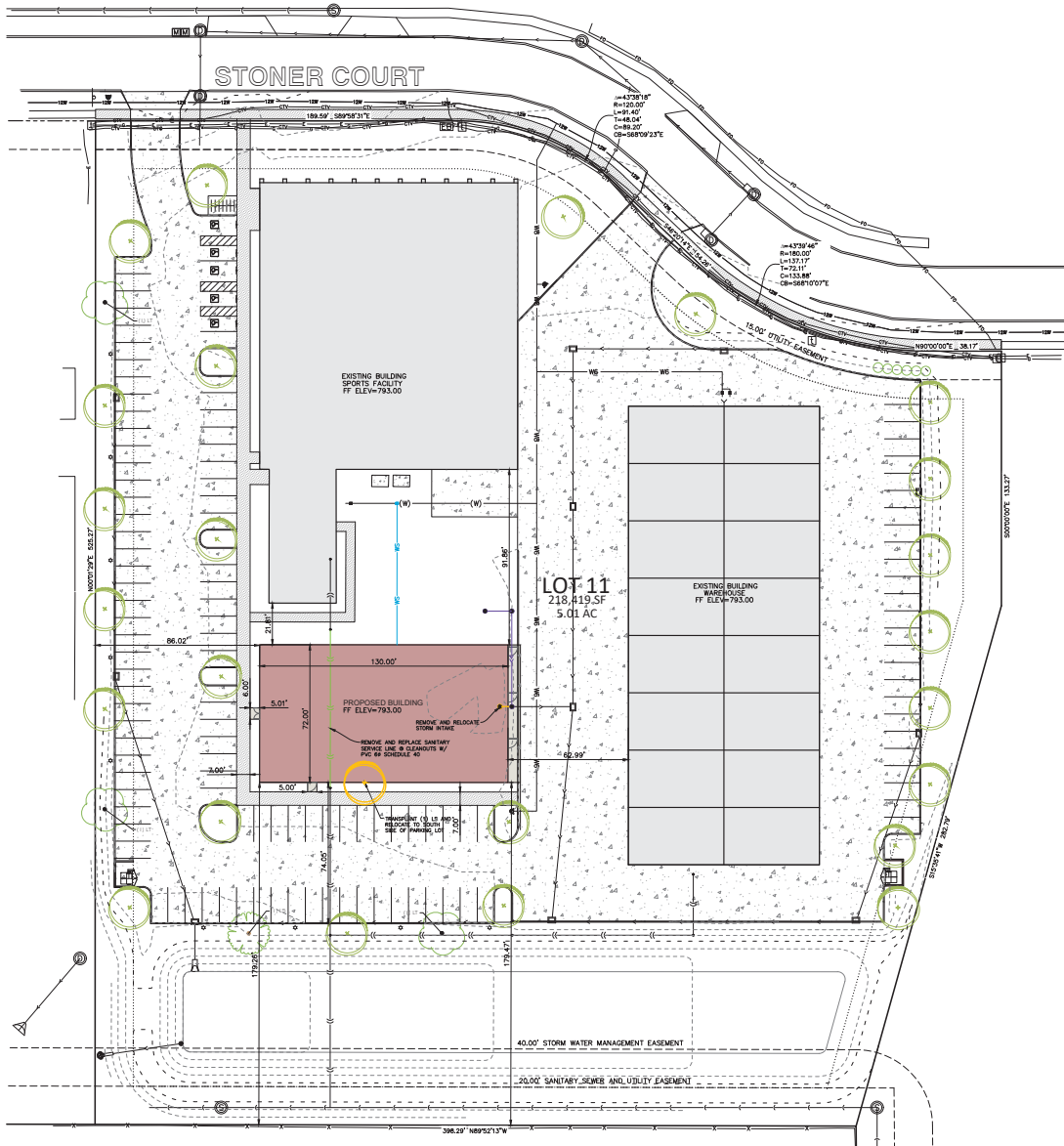
##### Suggested motion:

I move that the Planning Commission accept the listed finding and forward the preliminary site plan to the City Council with a recommendation for approval.



CIVIL ENGINEERS  
LAND PLANNERS  
LAND SURVEYORS  
LANDSCAPE ARCHITECTS  
ENVIRONMENTAL SPECIALISTS  
1917 S. GILBERT ST.  
IOWA CITY, IOWA 52240  
(319) 351-8282  
www.mmsconsultants.net

# PRELIMINARY SITE PLAN I-380 INDUSTRIAL PARK, LOT 11 NORTH LIBERTY, IOWA



**LEGAL DESCRIPTION**  
LOT 11, I-380 INDUSTRIAL PARK, IN ACCORDANCE WITH THE RECORDED PLAT THEREIN RECORDED IN BOOK 4402, PAGE 344, IN THE RECORDS OF THE JOHNSON COUNTY REGISTER'S OFFICE, CONTAINING 5.01 ACRES AND SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

**DEVELOPMENT CHARACTERISTICS**

CURRENT ZONING: I-1  
LOT AREA: 218,419 SF (5.01 ACRES)

SETBACK REQUIREMENTS	REQUIRED
BUILDING SETBACKS:	25 FEET
FRONT YARD	20 FEET
SIDE YARD	20 FEET
REAR YARD	20 FEET

PARKING SETBACKS:	REQUIRED
FRONT	10 FEET
SIDE	5 FEET
REAR	5 FEET

**MINIMUM LOT REQUIREMENTS**

LOT FRONTAGE	30 FEET
LOT WIDTH	30 FEET
MINIMUM BUILDING HEIGHT	45 FEET OR 3 STORES

**LOT CHARACTERISTICS**

LOT AREA	218,419 SF (5.01 AC)
BUILDING AREA - EXISTING	45,475 SF (2.04 AC)
PAVING AREA - EXISTING	77,879 SF (3.51 AC)
BUILDING AREA - PROPOSED	9,360 SF (0.42 AC)
PAVING AREA - PROPOSED	486 SF (0.22 AC)
GREEN SPACE AREA	85,519 SF (3.88 AC)

**BUILDING CHARACTERISTICS**

1 - WAREHOUSE @ 9,360 SF

**PARKING REQUIREMENTS**

1 SPOT PER 1,000 SF  
9,360 SF / 1,000 = 9 TOTAL SPACES REQUIRED

PARKING HAS BEEN PROVIDED WITH THE ORIGINAL DEVELOPMENT OF THIS LOT AND IS MEANT TO BE SHARED BETWEEN THE DIFFERENT USES. THE TOTAL PARKING PROVIDED IS 125 SPACES INCLUDING 5 ADA STALLS.

TOTAL PARKING PROVIDED (ADA PROVIDED = 5) = 125 SPACES

ALL GROUND MOUNTED MECHANICAL UNITS SHALL BE SCREENED WITH LANDSCAPING, (SEE LANDSCAPING PLAN).

SNOW STORAGE FOR THE SITE CAN BE PROVIDED AT THE SOUTH SIDE OF THE SITE.

**LANDSCAPE REQUIREMENTS**

1 TREE FOR EVERY 2,000 SF OF BUILDING FOOTPRINT  
9,360 SF / 2,000 = 5 TREES REQUIRED

25 EXISTING (1 TRANSPLANT)  
3 PROPOSED

NOTE: SHADE TREES MUST HAVE A MIN. CLEAR TRUNK HT. OF 4' ABOVE GROUND.

**PLANT SCHEDULE**

SHADE TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	INSTALL SIZE	COMMENT	MATURE H. x W.
IS	1	1	Liquidambar styraciflua (Transplant)	American Sweet Gum	2" Cal.	B&B	70' x 40'
LT	3	3	Liriodendron tulipifera	Tulip Tree	2" Cal.	B&B	80' x 50'

**UTILITIES**

THE CONTRACTOR SHALL NOTIFY IOWA ONE CALL NO LESS THAN 48 HRS. IN ADVANCE OF ANY DIGGING OR EXCAVATION.

WHERE PUBLIC UTILITY FIXTURES ARE SHOWN AS EXISTING ON THE PLANS OR ENCOUNTERED WITHIN THE CONSTRUCTION AREA, IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY THE OWNERS OF THOSE UTILITIES PRIOR TO THE BEGINNING OF ANY CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NECESSARY UNDERGROUND UTILITY LOCATIONS MUST BE CONSIDERED APPROXIMATE ONLY. IF IT IS POSSIBLE THERE MAY BE OTHERS, THE EVIDENCE OF WHICH IS PRESENTLY NOT KNOWN OR SHOWN, IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THEIR EXISTENCE AND EXACT LOCATION AND TO AVOID DAMAGE THEREIN. NO CLAIMS FOR ADDITIONAL COMPENSATION WILL BE ALLOWED TO THE CONTRACTOR FOR ANY INTERFERENCE OR DELAY CAUSED BY SUCH WORK.

KELLY & BECKLER  
16824

I hereby certify that this engineering document was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Iowa.

KELLY J. BECKLER  
P.E. Iowa Lic. No. 14924

DATE: 04/27/2023

Drawn by: KJB  
Checked by: KJB

Project No: 11750-001

Date	Revision
05/20/23	PER CITY COMMENTS/RLC

## PRELIMINARY SITE PLAN

## LOT 11, I-380 INDUSTRIAL PARK

NORTH LIBERTY COUNTY  
IOWA

MMS CONSULTANTS, INC.  
Date: 4/27/2023  
Field Book No:  
Drawn by: KJB  
Scale: 1" = 30'  
Checked by: KJB  
Sheet No: 1  
Project No: 11750-001



To **City of North Liberty Planning Commission**  
From **Ryan Rusnak, AICP**  
Date **June 2, 2023**  
Re **Request of the City of North Liberty for a zoning map amendment (rezoning) on approximately 3.53 acres, from RM-21 Multi-Residence District to RM-12 Multi-Residence District on property located on the west side of North Dubuque Street approximately 175' north of North Main Street (475 N Dubuque Street).**

---

North Liberty City staff has reviewed the subject submission, and offer comments presented in this memo. The staff review team includes the following personnel:

Ryan Heiar, City Administrator  
Tracey Mulcahey, Assistant City Administrator  
Grant Lientz, City Attorney  
Tom Palmer, City Building Official  
Kevin Trom, City Engineer  
Ryan Rusnak, Planning Director

**1. Request Summary:**

This is a City-initiated rezoning to achieve consistency with the new Comprehensive Plan Connected to Tomorrow, which was adopted by City Council on February 28, 2023.

Section 165.09(2) of the North Liberty Code of Ordinances reads, "Initiation. The City or a property owner in the City, or person expressly authorized in writing by the property owner, may propose a zoning text or map amendment."

**2. Current and Proposed Zoning:**

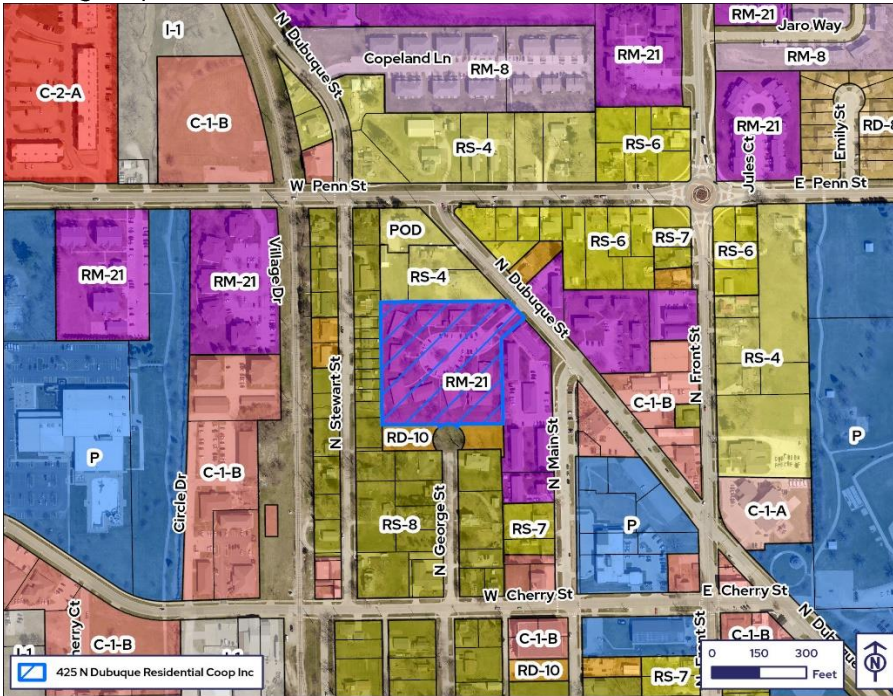
Current Zoning

RM-21 Multi-Unit Residence District. The RM-21 District is intended to provide and maintain high-density, multiple-unit housing residential neighborhoods. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the RM-21 District.

Proposed Zoning

RM-12 Multi-Unit Residence District. The RM-12 District is intended to provide and maintain medium-density, multiple-unit housing residential neighborhoods. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the RM-12 District.

## Zoning Map



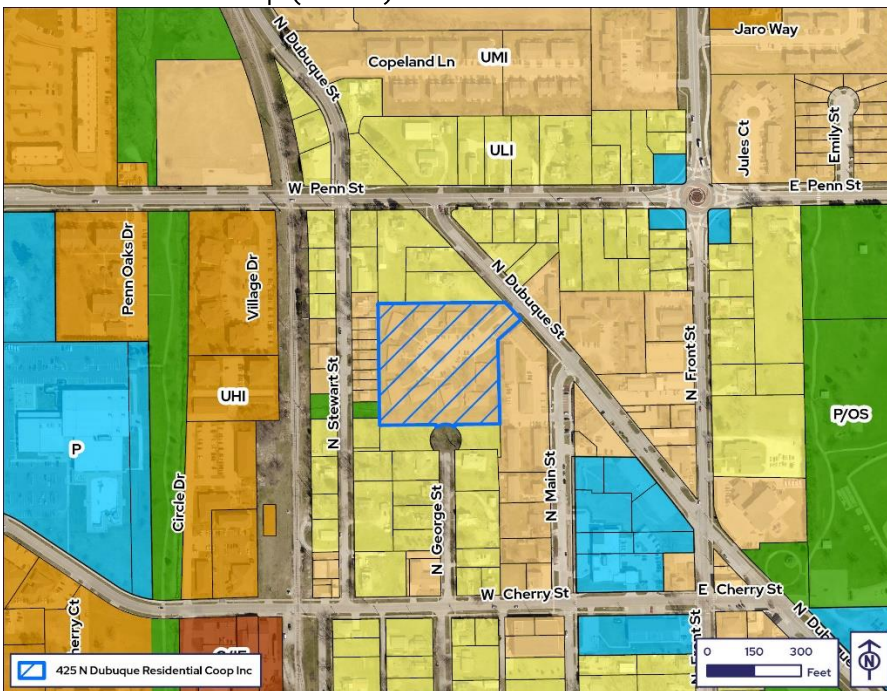
Current Zoning RM-21 Multi-Unit Residence District

### 3. Comprehensive Plan

#### Future Land Use Map designation

UMI Urban Medium Intensity. The RM-12 zoning would be consistent with UMI.

#### Future Land Use Map (FLUM)



Current FLUM Designation UMI Urban Medium Intensity



### Urban Medium Intensity Description

More variety in housing arrangements and more allowance for activity areas that draw people from outside the immediate area for services or recreation. Increased intensity (compared to ULI) improves opportunities for economic activity and social interaction. Medium intensity areas include mostly a horizontal mix of residential and non-residential uses at compatible moderate densities and scale, although there may be opportunities for vertical mixed-use.

### Residential

Uses include a variety of housing types that may be on smaller lots. Housing mix can include single-family detached homes, duplexes, townhomes, and multifamily buildings to create integrated neighborhoods.

### Form and Features

- » General aggregate development density of 7 to 14 dwelling units per acre. Innovative designs should allow more public spaces than ULI.
- » Attached housing developments maintain the identity of the individual housing units.
- » High connectivity with multiple access points into neighborhoods. As compared to ULI, UMI encourages closer proximity between transportation, housing, and commercial services.

## 4. Public Input:

Good neighbor meetings are not required with City-initiated rezonings. Mailed notice (certified and regular) of the proposed rezoning was sent to the property owner listed in public records.

## 5. Analysis of the Request

Figure 3.4 within Connected to Tomorrow was utilized to determine which zoning district would be compatible with the Future Land Use Map.

Figure 3.4: Land Use Compatibility

TRADITIONAL LAND USES	AGRICULTURE (AG)	URBAN RESERVE (UR)	URBAN LOW INTENSITY (ULI)	URBAN MEDIUM INTENSITY (UMI)	URBAN HIGH INTENSITY (UHI)	COMMERCIAL/ INDUSTRIAL FLEX (FLX)	PUBLIC AND SEMI PUBLIC (PUB)	PARK AND OPEN SPACE (P, OS)
Agriculture	●	●						○
Rural residential		●						
Low-density residential			●	○				
Medium-density residential			●	●	○			
High-density residential				●	●	○		
Rural commercial		●						
Neighborhood commercial			○	●	●	●		
Community commercial				○	●	●		
Regional commercial					○	●		
Low/medium intensity office			○	●	●	●		
High-intensity office				○	●	●		
Limited industrial		○				●		
Heavy industrial						○		
Parks and civic uses	●	●	●	●	●	○	●	●
Major public/civic facilities						○		○
Residential density range (du/A*)	≤40	≤40	3-8	7-14	14+	14+	NA	NA

● Permitted ○ Permitted with special review  
\*Dwelling Units per Acre

The RM-12 zoning was also selected due to current number of (36) residential units on the property (12 units per acre x 3.53 acres = a maximum of 42 units).

Section 165.09 of the Zoning Ordinance sets for the approval standards for zoning maps amendments.

D. Approval Standards. The Planning Commission recommendation and the City Council decision on any zoning text or map amendment is a matter of legislative discretion that is not controlled by any particular standard. However, in making their recommendation and decision, the Plan Commission and the City Council must consider the following standards. The approval of amendments is based on a balancing of these standards (staff commentary in italics).

(1) Map Amendments.

(a) The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.

*It is staff's opinion that the zoning map amendment would achieve consistency with the Comprehensive Plan and adopted land use policies.*

(b) The compatibility with the zoning of nearby property.

*It is staff's opinion that the proposed zoning would be compatible with the area.*

(c) The compatibility with established neighborhood character.

*It is staff's opinion that the proposed zoning would be compatible with established neighborhood character.*

(d) The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.

*It is staff's opinion that the proposed zoning would promote the public health, safety, and welfare of the City.*

(e) The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property in question for one or more of the uses permitted under the existing zoning classification.

*The RM-21 District permits residential development at 21 units per acre. This is too dense based on the size of the property and the character of the area.*

(f) The extent to which the proposed amendment creates nonconformities.

*It is staff's opinion that the proposed zoning would not create any nonconformities.*

## **6. Additional Considerations:**

The development and adoption of Connected to Tomorrow was a yearlong effort, which was the result of substantial input. The Plan identifies a shared vision and set of goals for the community based on a series of public discussions and community needs. Much like the 2013 plan, the 2022 comprehensive plan serves three primary roles:

- A Shared Vision for the Future. Comprehensive planning provides an opportunity for residents to create a shared vision for their community. Residents and City Staff identified issues and opportunities for North Liberty's land use, infrastructure, public facilities, natural resources, and more. These findings create a vision and set public priorities.
- Guidance for Decision-Makers. The plan serves as a guide for City Staff, the Planning Commission, City Council, and other City boards and commissions as they set policy, make public investments, and deliberate land use decisions.
- Legal Basis for Land Use Regulations. The Code of Iowa allows cities to adopt land use regulations, such as zoning and subdivision ordinances, to promote the "health, safety, morals or general welfare of the community." These regulations govern how to develop land within the city and its extraterritorial jurisdiction. Land use regulations recognize that people live cooperatively and have certain responsibilities to coordinate and harmonize private property uses. Connected to Tomorrow provides a legal basis for these regulations.

The adoption of Connected to Tomorrow is a directive to align the Zoning Ordinance and Map with the comprehensive plan. To quote the Plan, "Policymakers, most notably the City Council and Planning and Zoning Commission, will help set the course to realize this plan. These are the bodies to create and administer the policies that shape development in North Liberty. The plan should be a reliable guide to help with decisions related to large-scale policies and individual projects."

## **7. Staff Recommendation:**

### **Finding:**

1. The rezoning request from RM-21 Multi-Unit Residence District to RM-12 Multi-Unit Residence District would achieve consistency with the approval standards enumerated in Section 165.09 of the Zoning Code.

### **Recommendation:**

Staff recommends the Planning Commission accept the listed finding and forward the request for zoning map amendment (rezoning) from RM-21 Multi-Unit Residence District to RM-12 Multi-Unit Residence District on 3.53 acres to the City Council with a recommendation for approval.

Suggested motion:

I move that the Planning Commission accept the listed finding and forward the zoning map amendment to the City Council with a recommendation for approval.



To **City of North Liberty Planning Commission**  
From **Ryan Rusnak, AICP**  
Date **June 2, 2023**  
Re **Request of the City of North Liberty for a zoning map amendment (rezoning) on approximately .33 acres, from RM-21 Multi-Residence District to RM-12 Multi-Residence District on property located on the west side of North Main Street approximately 300' north of West Cherry Street (355, 357, 359 N Main Street).**

---

North Liberty City staff has reviewed the subject submission, and offer comments presented in this memo. The staff review team includes the following personnel:

Ryan Heiar, City Administrator  
Tracey Mulcahey, Assistant City Administrator  
Grant Lientz, City Attorney  
Tom Palmer, City Building Official  
Kevin Trom, City Engineer  
Ryan Rusnak, Planning Director

**1. Request Summary:**

This is a City-initiated rezoning to achieve consistency with the new Comprehensive Plan Connected to Tomorrow, which was adopted by City Council on February 28, 2023.

Section 165.09(2) of the North Liberty Code of Ordinances reads, "Initiation. The City or a property owner in the City, or person expressly authorized in writing by the property owner, may propose a zoning text or map amendment."

**2. Current and Proposed Zoning:**

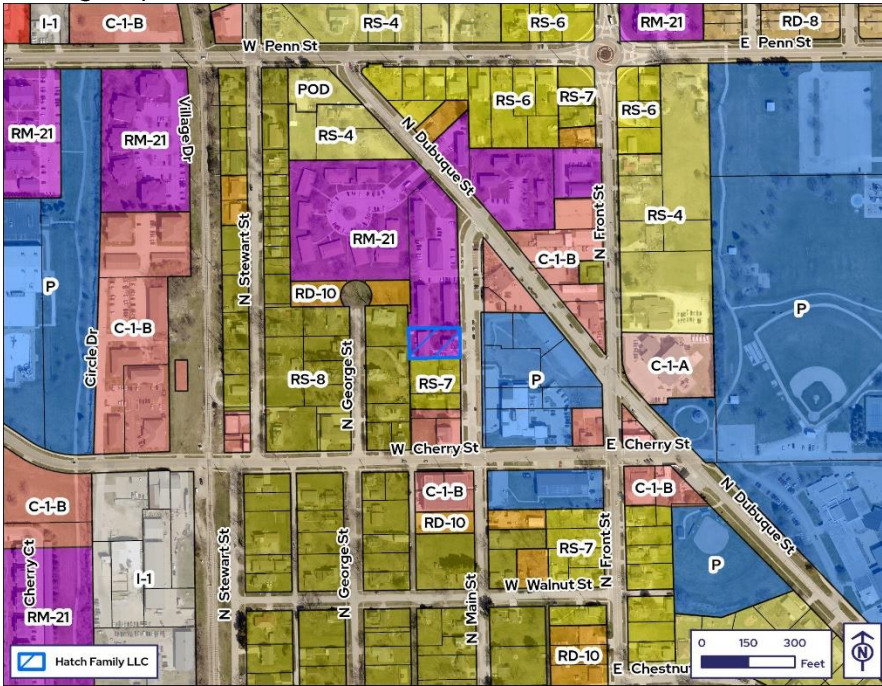
Current Zoning

RM-21 Multi-Unit Residence District. The RM-21 District is intended to provide and maintain high-density, multiple-unit housing residential neighborhoods. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the RM-21 District.

Proposed Zoning

RM-12 Multi-Unit Residence District. The RM-12 District is intended to provide and maintain medium-density, multiple-unit housing residential neighborhoods. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the RM-12 District.

## Zoning Map



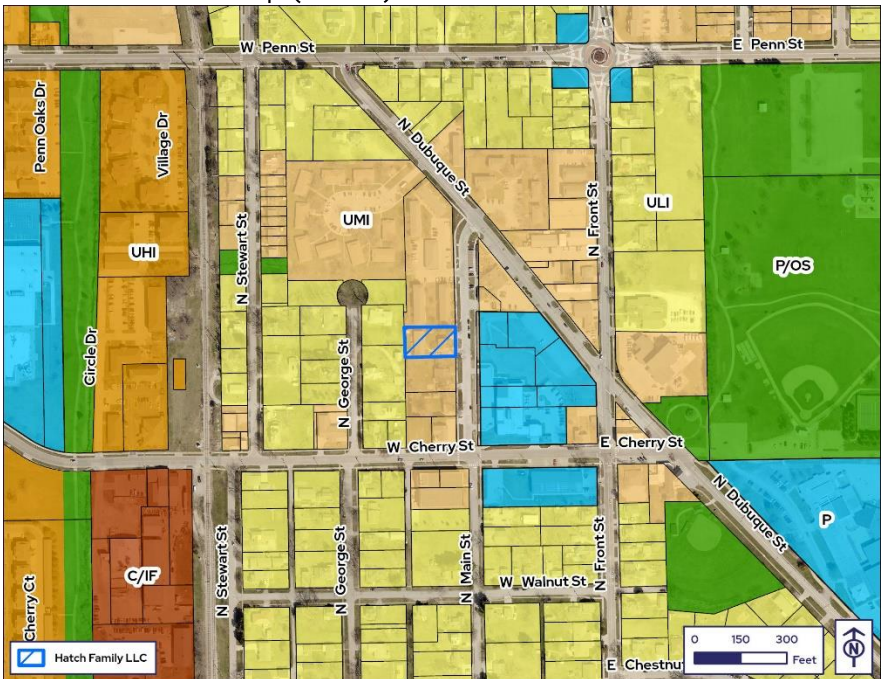
Current Zoning RM-21 Multi-Unit Residence District

### 3. Comprehensive Plan

#### Future Land Use Map designation

UMI Urban Medium Intensity. The RM-12 zoning would be consistent with UMI.

#### Future Land Use Map (FLUM)



Current FLUM Designation UMI Urban Medium Intensity

### Urban Medium Intensity Description

More variety in housing arrangements and more allowance for activity areas that draw people from outside the immediate area for services or recreation. Increased intensity (compared to ULI) improves opportunities for economic activity and social interaction. Medium intensity areas include mostly a horizontal mix of residential and non-residential uses at compatible moderate densities and scale, although there may be opportunities for vertical mixed-use.

### Residential

Uses include a variety of housing types that may be on smaller lots. Housing mix can include single-family detached homes, duplexes, townhomes, and multifamily buildings to create integrated neighborhoods.

### Form and Features

- » General aggregate development density of 7 to 14 dwelling units per acre. Innovative designs should allow more public spaces than ULI.
- » Attached housing developments maintain the identity of the individual housing units.
- » High connectivity with multiple access points into neighborhoods. As compared to ULI, UMI encourages closer proximity between transportation, housing, and commercial services.

## 4. Public Input:

Good neighbor meetings are not required with City-initiated rezonings. Mailed notice (certified and regular) of the proposed rezoning was sent to the property owner listed in public records.

## 5. Analysis of the Request

Figure 3.4 within Connected to Tomorrow was utilized to determine which zoning district would be compatible with the Future Land Use Map.

Figure 3.4: Land Use Compatibility

TRADITIONAL LAND USES	AGRICULTURE (AG)	URBAN RESERVE (UR)	URBAN LOW INTENSITY (ULI)	URBAN MEDIUM INTENSITY (UMI)	URBAN HIGH INTENSITY (UHI)	COMMERCIAL/ INDUSTRIAL FLEX (FLX)	PUBLIC AND SEMI PUBLIC (PUB)	PARK AND OPEN SPACE (P, OS)
Agriculture	●	●						○
Rural residential		●						
Low-density residential			●	○				
Medium-density residential			●	●	○			
High-density residential				●	●	○		
Rural commercial		●						
Neighborhood commercial			○	●	●	●		
Community commercial				○	●	●		
Regional commercial					○	●		
Low/medium intensity office			○	●	●	●		
High-intensity office				○	●	●		
Limited industrial		○				●		
Heavy industrial						○		
Parks and civic uses	●	●	●	●	●	○	●	●
Major public/civic facilities						○		○
Residential density range (du/A*)	≤40	≤40	3-8	7-14	14+	14+	NA	NA

● Permitted ○ Permitted with special review  
\*Dwelling Units per Acre

The RM-12 zoning was also selected due to current number of (3) residential units on the property (12 units per acre x .33 acres = a maximum of 3 units).

Section 165.09 of the Zoning Ordinance sets for the approval standards for zoning maps amendments.

D. Approval Standards. The Planning Commission recommendation and the City Council decision on any zoning text or map amendment is a matter of legislative discretion that is not controlled by any particular standard. However, in making their recommendation and decision, the Plan Commission and the City Council must consider the following standards. The approval of amendments is based on a balancing of these standards (staff commentary in italics).

(1) Map Amendments.

(a) The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.

*It is staff's opinion that the zoning map amendment would achieve consistency with the Comprehensive Plan and adopted land use policies.*

(b) The compatibility with the zoning of nearby property.

*It is staff's opinion that the proposed zoning would be compatible with the area.*

(c) The compatibility with established neighborhood character.

*It is staff's opinion that the proposed zoning would be compatible with established neighborhood character.*

(d) The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.

*It is staff's opinion that the proposed zoning would promote the public health, safety, and welfare of the City.*

(e) The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property in question for one or more of the uses permitted under the existing zoning classification.

*The RM-21 District permits residential development at 21 units per acre. This is too dense based on the size of the property and the character of the area.*

(f) The extent to which the proposed amendment creates nonconformities.

*It is staff's opinion that the proposed zoning would not create any nonconformities.*

## **6. Additional Considerations:**

The development and adoption of Connected to Tomorrow was a yearlong effort, which was the result of substantial input. The Plan identifies a shared vision and set of goals for the community based on a series of public discussions and community needs. Much like the 2013 plan, the 2022 comprehensive plan serves three primary roles:

- A Shared Vision for the Future. Comprehensive planning provides an opportunity for residents to create a shared vision for their community. Residents and City Staff identified issues and opportunities for North Liberty's land use, infrastructure, public facilities, natural resources, and more. These findings create a vision and set public priorities.
- Guidance for Decision-Makers. The plan serves as a guide for City Staff, the Planning Commission, City Council, and other City boards and commissions as they set policy, make public investments, and deliberate land use decisions.
- Legal Basis for Land Use Regulations. The Code of Iowa allows cities to adopt land use regulations, such as zoning and subdivision ordinances, to promote the "health, safety, morals or general welfare of the community." These regulations govern how to develop land within the city and its extraterritorial jurisdiction. Land use regulations recognize that people live cooperatively and have certain responsibilities to coordinate and harmonize private property uses. Connected to Tomorrow provides a legal basis for these regulations.

The adoption of Connected to Tomorrow is a directive to align the Zoning Ordinance and Map with the comprehensive plan. To quote the Plan, "Policymakers, most notably the City Council and Planning and Zoning Commission, will help set the course to realize this plan. These are the bodies to create and administer the policies that shape development in North Liberty. The plan should be a reliable guide to help with decisions related to large-scale policies and individual projects."

## **7. Staff Recommendation:**

### **Finding:**

1. The rezoning request from RM-21 Multi-Unit Residence District to RM-12 Multi-Unit Residence District would achieve consistency with the approval standards enumerated in Section 165.09 of the Zoning Code.

### **Recommendation:**

Staff recommends the Planning Commission accept the listed finding and forward the request for zoning map amendment (rezoning) from RM-21 Multi-Unit Residence District to RM-12 Multi-Unit Residence District on .33 acres to the City Council with a recommendation for approval.

Suggested motion:

I move that the Planning Commission accept the listed finding and forward the zoning map amendment to the City Council with a recommendation for approval.





**Planning Commission**  
**April 18, 2023**  
**Council Chambers, 1 Quail Creek Circle**

**Call to Order**

Chair Josey Bathke called the April 18, 2023 Planning Commission to order at 6:30 p.m. in the Council Chambers at 1 Quail Creek Circle. Commission members present: Barry A'Hearn, Josey Bathke, Sheila Geneser, Jason Heisler; absent: Patrick Staber, Brian Vincent, and Dave Willer.

Others present: Ryan Rusnak, Ryan Heiar, Grant Lientz, Josiah Bilskemper, Tracey Mulcahey, Jeff Mekota, Brandon Pratt, Will Downing, Cory Hodapp, John Lohman, Sloane Tyler, Angie Maddux, Chad Meacham, Lovie Anderson, Monica Brockway, Jeff Schweitzer, Brad Houser, and other interested parties.

**Approval of the Agenda**

Heisler moved, A'Hearn seconded to approve the agenda. The vote was all ayes. Agenda approved.

**Water Tower Place Preliminary Site Plan**

*Staff Presentation*

Rusnak presented the request of Dahnovan Holdings to approve a Preliminary Site Plan for 44 townhouse units on approximately 5.31 acres. The property is located on the west side of North Kansas Avenue approximately 175 feet south of West Lake Road. Staff recommends the Planning Commission accept the two listed findings:

1. The townhouse dwelling use of the property would be consistent with the current RM-12 District and the Comprehensive Plan Future Land Use Map; and
2. The site plan would achieve consistency with North Liberty Code of Ordinances Section 165.05(2) entitled, "Preliminary Site Plan Review," Section 168.07 entitled "Uses Defined and Use Standards," and Section 169.10 entitled "Design Standards" and other Code of Ordinance requirements; and

forward the request to approve a Preliminary Subdivision plat for 44 townhouse units on approximately 5.31 acres to the City Council with a recommendation for approval.

*Applicant Presentation*

Jeff Mekota, the applicant, was present and offered to answer questions.

*Public Comments*

No public comments were offered.

*Questions and Comments*

The Commission had no questions or comments on the application.

*Recommendation to the City Council*

Geneser moved, A'Hearn seconded that the Planning Commission accept the two listed findings and forward the preliminary site plan to the City Council with a recommendation for approval. The

vote was: ayes – Geneser, Heisler, Bathke, A’Hearn; nays – none; absent – Staber, Vincent, and Willer. Motion carried.

### **Solomons Entertainment District Preliminary Site Plan**

#### *Staff Presentation*

Rusnak presented the request of Pratt Real Estate Management, Inc. to approve a Preliminary Site Plan for two commercial buildings on approximately 6.28 acres. The property is located on the north side of West Penn Street approximately 350 feet west of North Jones Boulevard. Staff recommends the Planning Commission accept the two listed findings:

1. The commercial use of the property would be consistent with the current C-2-A District and the Comprehensive Plan future Land Use map designation of Urban High Intensity
2. The site plan would achieve consistency with North Liberty Code of Ordinances Section 165.05(2) entitled, “Preliminary Site Plan Review,” and Section 169.10 entitled “Design Standards” and other Code of Ordinance requirements; and

forward the request to approve a preliminary site for a 34,359 square foot private recreation building and a 33,528 square foot restaurant/bowling alley on approximately 6.28 acres to the City Council with a recommendation for approval.

#### *Applicant Presentation*

Brandon Pratt, the applicant, was present and offered additional information and to answer questions.

#### *Public Comments*

No public comments were offered.

#### *Questions and Comments*

The Commission discussed the application including anticipation of this development, the diversity of the façade design, the actual look of the building, adjacency to the residential neighborhood, and adequacy of proposed parking.

#### *Recommendation to the City Council*

Heisler moved, A’Hearn seconded that the Planning Commission accept the two listed findings and forward the preliminary site plan to the City Council with a recommendation for approval. The vote was: ayes – Heisler, A’Hearn, Bathke, Geneser; nays – none absent – Staber, Vincent, and Willer. Motion carried.

### **Steindler Orthopedic Clinic Preliminary Plat**

#### *Staff Presentation*

Rusnak presented the request of Physician's Building Group, LLC to approve a Preliminary Subdivision Plat for a 2-lot subdivision on approximately 36.22 acres. The property is located on the west side of South Kansas Avenue approximately ¼ mile north of West Forevergreen Road. Staff recommends the Planning Commission accept the two listed findings:

1. The preliminary plat, which proposes commercial development, would achieve consistency with the Comprehensive Plan Future Land Use map designation, which is Urban High Intensity
2. The preliminary plat, with conditions recommended by City staff, would achieve consistency with Section 180.11(3)(A) and 180.12 of the North Liberty Code of Ordinances,

which sets forth the preliminary subdivision plat submittal requirements and design standards, respectively; and forward the request of Physician's Building Group, LLC to approve a Preliminary Subdivision Plat for a 2-lot subdivision on approximately 36.22 acres to the City Council with a recommendation for approval.

*Applicant Presentation*

Will Downing, RDG Planning & Design was present on behalf of the applicant and offered to answer questions.

*Public Comments*

No public comments were offered.

*Questions and Comments*

The Commission had no questions or comments on the application.

*Recommendation to the City Council*

Geneser moved, A'Hearn seconded that the Planning Commission accept the two listed findings and forward the Preliminary Subdivision Plat to the City Council with a recommendation for approval. The vote was: ayes – Geneser, A'Hearn, Heisler, Bathke; nays – none; absent – Staber, Vincent, and Willer. Motion carried.

**Steindler Orthopedic Clinic Preliminary Site Plan**

*Staff Presentation*

Rusnak presented the request of Physician's Building Group, LLC to approve a Preliminary Site Plan for 82,894 square foot medical office on approximately 8.93 acres. The property is located on the west side of South Kansas Avenue approximately ¼ mile north of West Forevergreen Road. Staff recommends the Planning Commission accept the two listed findings:

1. The commercial use of the property would be consistent with the current C-3 District and the Comprehensive Plan Future Land Use Map designation of Urban High Intensity.
2. The site plan would achieve consistency with North Liberty Code of Ordinances Section 165.05(2) entitled, "Preliminary Site Plan Review," and Section 169.10 entitled "Design Standards" and other Code of Ordinance requirements.

and forward the request to approve a preliminary site plan for an 82,894 square foot medical office on approximately 8.93 acres to the City Council with a recommendation for approval.

*Applicant Presentation*

Will Downing, RDG Planning & Design, was present on behalf of the applicant and offered to answer questions.

*Public Comments*

No public comments were offered.

*Questions and Comments*

The Commission discussed the application including varying heights and depths in the façade, compatible neighboring developments, and additional traffic signalization.

*Recommendation to the City Council*

Heisler moved, A'Hearn seconded that the Planning Commission accept the two listed findings and forward the preliminary site plan to the City Council with a recommendation for approval. The vote was: ayes – Heisler, A'Hearn, Geneser, Bathke; nays – none; absent – Staber, Vincent, and Willer. Motion carried.

## **Public Hearing on Zoning Map Amendment**

### *Staff Presentation*

Rusnak presented the request of Modern Horizons, LLC for a zoning map amendment (rezoning) on 9.83 acres of property located on the east side of Scales Bend Road approximately 170 feet south of Fox Run Drive. The rezoning would be from ID Interim Development to RS-4 PAD Single-Unit Residence District Planned Area Development. The purpose of the request is to redevelop the property as an age restricted community (55+) with single-unit residences and a clubhouse/common area on one lot. Staff recommends the Planning Commission accept the two listed findings:

1. The rezoning request from ID Interim Development to RS-4 PAD Single-Unit Residence Planned Area Development would achieve consistency with the approval standards enumerated in Section 165.09 of the Zoning Code.
2. The site plan would achieve consistency with North Liberty Code of Ordinances Section 165.05(2) entitled, "Preliminary Site Plan Review," and other Code of Ordinance requirements.

and forward the request for zoning map amendment (rezoning) from ID Interim Development to RS-4 PAD Single-Unit Residence Planned Area Development on approximately 9.83 acres to the City Council with a recommendation for approval.

### *Applicant Presentation*

Cory Hodapp, the applicant, was present and offered to answer questions.

### *Public Comments*

John Lohman, 562 Fox Run Drive, expressed concerns and objections regarding the application. Sloane Tyler, 45 Vixen Lane, spoke regarding objections to the rezoning. Chad Meacham, 1570 Otter Lane, offered his opposition to the development. Angie Maddux, 482 Fox Run Drive, spoke regarding her objections to this application. Lovie Anderson, 35 Vixen Lane, spoke regarding concerns with the proposed development. Monica Brockway, 1520 Otter Lane, expressed her concerns regarding the development.

### *Questions and Comments*

The Commission discussed the application including design standards, comparison with other neighborhoods, compliance with code, meeting character of the neighborhood, living adjacent to construction, integration of accessible housing into the community, adding value to the city, change of neighborhoods, sympathy for concerns, traffic counts, increase in traffic, and overall change in the community.

### *Recommendation to the City Council*

Heisler moved, A'Hearn seconded that the Planning Commission accept the listed findings and forward the zoning map amendment to the City Council with a recommendation for approval. The vote was: ayes – Bathke, Heisler, Geneser, A'Hearn; nays – none; absent – Staber, Vincent, and Willer. Motion carried.

## **Public Hearing on Zoning Map Amendment**

### *Staff Presentation*

Rusnak presented the request of Twopoint2, LLC and Vantage Point Properties, LLC for a zoning map amendment (rezoning) on approximately 5.23 acres on property located on the west side of

North Highway 965/Ranshaw Way approximately 280 feet south of West Cherry Street. The rezoning would be from C-2-A Highway Commercial District to C-2-A PAD Highway Commercial District Planned Area Development. The purpose of the request is to rehabilitate the southeast portion of the property and waive some of the Zoning Ordinance design standards. Staff recommends the Planning Commission accept the two listed findings:

1. The rezoning request from C-2-A Highway Commercial District to C-2-A PAD Highway Commercial District Planned Area Development would achieve consistency with the approval standards enumerated in Section 165.09 of the Zoning Code.
2. The site plan would achieve consistency with North Liberty Code of Ordinances Section 165.05(2) entitled, "Preliminary Site Plan Review," and other Code of Ordinance requirements.

and forward the request for zoning map amendment (rezoning) from C-2-A Highway Commercial District to C-2-A PAD Highway Commercial District Planned Area Development on approximately 5.23 acres to the City Council with a recommendation for approval.

#### *Applicant Presentation*

Jeff Schweitzer, the applicant, offered to answer questions on the application.

#### *Public Comments*

No public comments were offered.

#### *Questions and Comments*

The Commission discussed the application including thoughts on what was going to happen on the property, extension of the access road, parking, and the refacing on other side of the property.

#### *Recommendation to the City Council*

A'Hearn moved, Geneser seconded that the Planning Commission accept the two listed findings and forward the zoning map amendment to the City Council with a recommendation for approval. The vote was: ayes – Bathke, Geneser, A'Hearn, Heisler; nays – none; absent – Staber, Vincent, and Willer. Motion carried.

### **Public Hearing on Zoning Map Amendment**

#### *Staff Presentation*

Rusnak presented the request of the City of North Liberty for a zoning map amendment (rezoning) on approximately .40 acres, from RM-21 Multi-Unit Residence District to RM-12 Multi-Unit Residence District on property located at the northwest corner of North Front Street and West Zeller Street (Also Known As 20 West Zeller Street). Staff recommends the Planning Commission accept the listed finding, the rezoning request from RM-21 Multi-Unit Residence District to RM-12 Multi-Unit Residence District would achieve consistency with the approval standards enumerated in Section 165.09 of the Zoning Code and forward the request for zoning map amendment (rezoning) from RM-21 Multi-Unit Residence on .40 acres to the City Council with a recommendation for approval. Lientz presented information on the process for city-initiated rezoning and allowed uses on property.

#### *Public Comments*

No public comments were offered.

#### *Questions and Comments*

The Commission discussed the application including right sizing this zoning.

#### *Recommendation to the City Council*

A'Hearn moved, Heisler seconded that the Planning Commission accept the listed finding and forward the zoning map amendment to the City Council with a recommendation for approval. The vote was: ayes – Geneser, Bathke, A'Hearn, Heisler; nays – none; absent – Staber, Vincent, and Willer. Motion carried.

### **Public Hearing on Zoning Map Amendment**

#### *Staff Presentation*

Rusnak presented the request of the City of North Liberty for a zoning map amendment (rezoning) on approximately .37 acres, from I-1 Light Industrial District to C-1-B General Commercial District on property located south of West Cherry Street approximately 300 feet east of North Highway 965/Ranshaw Way (Also Known As 445 West Cherry Street). Staff recommends the Planning Commission accept the listed finding, the rezoning request from I-1 Light Industrial District to C-1-B General Commercial District would achieve consistency with the approval standards enumerated in Section 165.09 of the Zoning Code, and forward the request for zoning map amendment (rezoning) from I-1 Light Industrial District to C-1-B General Commercial District on .37 acres to the City Council with a recommendation for approval.

#### *Public Comments*

No public comments were received.

#### *Questions and Comments*

The Commission discussed the application including notices to landowners with no objections.

#### *Recommendation to the City Council*

Heisler moved, Geneser seconded that the Planning Commission accept the listed finding and forward the zoning map amendment to the City Council with recommendation for approval. The vote was: ayes – Heisler, Bathke, A'Hearn, Geneser; nays – none; absent – Staber, Vincent, and Willer. Motion carried.

### **Public Hearing on Zoning Map Amendment**

#### *Staff Presentation*

Rusnak presented the request of the City of North Liberty for a zoning map amendment (rezoning) on approximately 4.0 acres, from I-1 Light Industrial District to C-3 Higher-Intensity Commercial District on property located on the east side of North Highway 965/Ranshaw Way approximately 275 feet south of West Cherry Street (Also Known As 250 North Highway 965/Ranshaw Way). Staff recommends the Planning Commission accept the listed finding, the rezoning request from I-1 Light Industrial District to C-3 Higher-Intensity Commercial District would achieve consistency with the approval standards enumerated in Section 165.09 of the Zoning Code, and forward the request for zoning map amendment (rezoning) from I-1 Light Industrial District to C-3 Higher-Intensity Commercial District on 4.0 acres to the City Council with a recommendation for approval.

#### *Public Comments*

Brad Houser, the property owner, spoke regarding his objections regarding the proposed rezoning.

#### *Questions and Comments*

The Commission discussed the application including the current uses on the property, highest and best use as industrial on that property, comprehensive plan, land use map, vision along Ranshaw

Way/965, allowance of the fireworks tent, current use can be maintained, legal non-conforming uses are allowed, owner can't add on to what's there, lack of masonry requirement in industrial zone, development and change of the city, difficulty in commercial development, review of commercial zone, and looking at market conditions to fit in a district with certain design standards.  
*Recommendation to the City Council*

Bathke moved, Geneser seconded that the Planning Commission accept the listed finding and forward the zoning map amendment to the City Council with a recommendation for approval. The vote was: ayes –Geneser, A'Hearn, Bathke, Heisler; nays – none; absent – Staber, Vincent, and Willer. Motion carried.

## **Public Hearing on Zoning Map Amendment**

### *Staff Presentation*

Rusnak presented the request of the City of North Liberty for a zoning map amendment (rezoning) on approximately 3.69 acres, from I-1 Light Industrial District to C-3 Higher-Intensity Commercial District on property located at the northeast corner of North Highway 965/Ranshaw Way and Commercial Drive (Also Known As 160 North Highway 965/Ranshaw Way). Staff recommends the Planning Commission accept the listed finding, the rezoning request from I-1 Light Industrial District to C-3 Higher-Intensity Commercial District would achieve consistency with the approval standards enumerated in Section 165.09 of the Zoning Code, and forward the request for zoning map amendment (rezoning) from I-1 Light Industrial District to C-3 Higher-Intensity Commercial District on 3.69 acres to the City Council with a recommendation for approval.

### *Public Comments*

No public comments were offered.

### *Questions and Comments*

The Commission discussed the application including consistency with the previous agenda item and community feedback for development along Ranshaw Way/965.

### *Recommendation to the City Council*

Bathke moved, A'Hearn seconded that the Planning Commission accept the listed finding and forward the zoning map amendment to the City Council with a recommendation for approval. The vote was: ayes – Bathke, A'Hearn, Geneser, Heisler; nays – none; absent – Staber, Vincent, and Willer. Motion carried.

## **Public Hearing on Ordinance to Zoning Code**

### *Staff Presentation*

Rusnak presented the request of the City of North Liberty for an Ordinance amending Chapter 165 of the North Liberty Code of Ordinances regarding preliminary site plan approval standards and access easement requirements for utility and emergency vehicles. Staff recommends the Planning Commission accept the listed finding, the proposed ordinance would create clear approval standards for preliminary site plans and add a requirement for necessary easements during the construction review process and forward the ordinance amendment to the City Council with a recommendation for approval.

### *Public Comments*

No public comments were offered.

### *Questions and Comments*

The Commission had no questions or comments on the ordinance.

### *Recommendation to the City Council*

Heisler moved, A'Hearn seconded that the Planning Commission accept the listed finding and forward the ordinance amendment to the City Council with a recommendation for approval. The vote was: ayes –Heisler, A'Hearn, Bathke, Geneser; nays – none; absent – Staber, Vincent, and Willer. Motion carried.

### **Approval of Previous Minutes**

A'Hearn moved, Geneser seconded to approve the minutes of the March 7, 2023 meeting. The vote was all ayes. Minutes approved.

### **Old Business**

Rusnak reported that he is receiving positive feedback on the new Comprehensive Plan.

### **New Business**

Rusnak reported that an Aldi site plan could be on the agenda in June. Bathke spoke regarding support for the cancellation of the meeting due to poor weather.

### **Adjournment**

At 8:11 p.m., Heisler moved, A'Hearn seconded to adjourn. The vote was all ayes. Meeting adjourned.

Signed:

Tracey Mulcahey, City Clerk